

shopping center into a parking lot about 5 in the afternoon, she apparently was abducted by a formerly convicted sex offender who has now been charged with this crime.

Dru Sjodin was a wonderful young woman. She was, as has been the case with these other circumstances, the innocent victim of a sex offender. Alfonso Rodriguez has been charged in her case. Alfonso Rodriguez served 23 years in prison as a violent sexual predator. He was deemed by prison officials to be a high-risk offender who would reoffend when released. He was nonetheless released from prison, and within 6 months he allegedly murdered Dru Sjodin.

I have introduced a law called "Dru's Law." It is supported by Mr. Lunsford, Mr. Klaas, and so many other families who have been visited by these tragedies.

Dru's Law does three things. First, it says there should be a national registry of convicted sex offenders. There is not one now. There are State registries but not a national registry. Many Americans live near a State border. If they check their State registry of who the violent sex offenders are in their region, they will find out who is in their State but not who is 5 or 20 miles away across the border. There should be a national registry of convicted sex offenders, No. 1.

No. 2, if a high-risk sex offender is about to be released from prison and if that person is deemed to be at high risk for committing another violent offense, the local State's attorneys must be notified that this high-risk sex offender is about to be released so they can seek further civil commitment if they believe it appropriate.

No. 3, if, in fact, a high-risk sex offender is released from prison and there is no further civil commitment, there must be monitoring of that sex offender upon release. There cannot be at the prison door a wave and say: So long, you served your 23 years, have a good life. There must be high-level monitoring.

It is unbelievable to me that we know the names of these people who are committing these murders because they have been behind bars and they are released despite the fact that psychiatrists, psychologists, and others judge them to be at high risk for reoffending. I don't want to see the list of victims, which includes Dru Sjodin, Polly Klaas, Jessica Lunsford, and Sarah Lunde, get longer. We can do something about this. We can pass this legislation.

Incidentally, this legislation which I reintroduced now with ARLEN SPECTER was passed by unanimous consent last year. We did not get it through the House, but I have now reintroduced it. I am going to try again, and I hope this time that this legislation gets to the President's desk for signature. It is long past the time that we do what is necessary to save lives. We ought not any longer accept the status quo. Vio-

lent sexual predators need to be identified, need to be on a national registry, and need to be either recommitted, if they are at high risk for reoffending, or there needs to be high-level monitoring when they are released. That is simply the case.

How much time have I consumed?

The ACTING PRESIDENT pro tempore. The Senator from North Dakota has consumed 6 minutes.

NUCLEAR OPTION

Mr. DORGAN. Mr. President, on another subject, this morning I read some very troubling comments by a member of the House leadership, on the subject of judges. I normally would not comment about remarks made by a member of the House, but we face in the Senate the prospect of what some are calling the nuclear option. This relates to an attempt by an arrogant majority to violate the rules of the Senate, in order to change the rules with respect to the confirmation of judicial nominations. Because of the real possibility that this so-called nuclear option will be exercised, I wish to react to some of these things that have been said about judges.

Judges serve for a lifetime. There are two steps to put a judge on the bench for a lifetime. One, the President must nominate. Second, the Senate advises and consents. In other words, the Senate decides whether it agrees a judge is fit for service for a lifetime.

It is not unusual for the Senate to decide that a judicial nominee by a President should not go forward. In fact, that happened to America's first President, George Washington. He lost one of his judicial nominations.

The Senate has approved 205 out of 215 Federal judicial nominations sent to us by President Bush. Because we have only approved 205 out of 215, which is 95 percent-plus, because there are a few who we have selected who we would not want to confirm, there are those who speak of changing the Senate rules, and to do so by violating the Senate rules. That is called the nuclear option.

What is the origin of all of this? Some of it has been described in stark terms by colleagues in the Congress. It is that they would like to define what good behavior means for judges. They do not agree with some judicial rulings, so they want to impeach Supreme Court Justices.

They must have missed that course in high school and college that talked about checks and balances, as well as the course that talked about separation of powers. Some in the Congress believe the judiciary ought to report to them and believe America's judiciary ought to conform to their interests, to their notions, of how to read our Constitution.

It reminds me again that there is a very big difference between an open mind and an empty head when I hear people talking about how we must find

ways to get the Federal judiciary to bend to the will of the Congress. That is exactly what our Framers did not intend to have happen.

Let me say again, we have confirmed 205 of 215 requested lifetime appointments to the Federal bench offered to us by this President. That is an incredibly good record. But because 10 have not been confirmed—because this Congress has decided not to be a rubberstamp for lifetime appointments on the Federal bench—we have some who have decided they want to break the Senate rules in order to change the Senate rules. I read in today's papers we have others who are deciding they would like to take a crack at impeaching Federal judges and bend the Federal judiciary to the will of the majority here in the Congress.

I think it is arrogant and I think it is dangerous and I think most of the American people would believe the same.

I hope, as we proceed in the coming days, there will be some sober reflection among those who understand the roles of those in this institution and the judiciary, who understand the separation of powers, and who understand checks and balances. If that is the case, those who now talk about the so-called nuclear option will rethink their position.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

THE ENERGY BILL

Mr. KERRY. Mr. President, once again, today, President Bush is going to talk about the rising cost of gas and how it is hurting Americans at the pump. He is going to talk again about our dangerous dependence on foreign oil.

Last weekend, President Bush used his radio address to urge Americans to support his energy legislation. He said, and I quote him:

American families and small businesses across the country are feeling the pinch from rising gas prices.

President Bush is right. The fact is American families are struggling. But unfortunately he is wrong about his support of the energy bill and his approach. The issue is not that the President doesn't understand the problem; it is that he does not have a real solution. He has not proposed the kinds of steps that are staring us in the face, available to us to be able to put together a real energy policy for the country. The energy plan he continues to campaign for will, in fact, make the United States more dependent on foreign oil, it will keep gas prices at record highs instead of making them affordable for consumers, and it will make our air and our water more polluted instead of investing in a cleaner future. These are pretty stark choices. Each and every one of them, on examination, is proven in the ways in which this administration has moved backwards on enforcement, backwards with respect to its